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The Side of Cypress
Katharine B. Judson

The British Side of the Restoration of Fort Astoria

By

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THE BRITISH SIDE OF THE RESTORATION OF FORT ASTORIA.

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The object of history, as the writer understands it, is to teach wisdom for the future from the successes and mistakes of the past. It is to tell the facts of the past so honestly as to do justice to both sides, and in order to do so, it is obvious that the mistakes of one's own country must sometimes be brought to light. Otherwise, one takes the German point of view that whatever one's own country does is morally right.

The restoration of Astoria is a case in point. With an element of the ludicrous in it, in the visit of the *Ontario*, there is also an exhibition of devious, winding, political manoeuvres by John Quincy Adams which one would rather hide. Writers have heretofore taken the point of view that the restoration was gained by American cleverness as against British intrigue, and therefore Adams is praised.

There is no truth in that point of view. Not one statement could the writer find, even in the private notes of the British Foreign Office officials to each other, that would indicate the slightest intention of outwitting America in the claim for the Northwest Coast and the Columbia River.

From July, 1913, to August, 1914, (being caught in England by the war,) the writer went through some seven hundred volumes in the British Public Record Office, including diplomatic correspondence, Colonial and Foreign Office reports, Admiralty reports, ships logs, and consular reports, from 1790 until 1867, which would have a bearing on Oregon history.

This last date, be it noted, is extraordinary. The usual permission granted to qualified scholars closes with 1837. When

the writer made the remark, in a seminar in the University of London, that she intended asking for extended permission for the records until 1846, she was quickly assured by two English college professors of history that such permission was more than doubtful. She made the application, however, through the correct channels, and permission was received, "as requested." But on searching the volumes through the 1840s, she found that in the San Juan controversy, many papers belonging to the Treaty of 1846 had been taken out of their proper volumes and used as enclosures in later ones. Many important records were missing upon reaching the end of the 1846 records. She, therefore, in trepidation, asked permission of the official in charge of this special "government room,"—not the usual Round Room—if the permission from the Foreign Office would allow her to look through later volumes for the missing papers of the 1840s. He answered "No," very courteously, but very positively, adding he would look up the permit. With an amazed face he then returned and reported that the Foreign Office had failed to set a date of limitation upon the permit and therefore I was free to search to present date if I chose. He added that it was the first time he had ever known the Foreign Office to make such a mistake—but Oregon history will profit by it.

In addition to these unusual privileges, the writer had the permission of the late Lord Strathcona, Governor of the Hudson's Bay Company, to search the archives of the Hudson's Bay Company, and many a day she spent in His Lordship's unoccupied office in Lime Street, searching through the records, journals, reports and correspondence of the famous old English company. The results given here are rather more as an advance paper upon the history now being written by her, than as a final settlement of the whole question.

It must be remembered, in all Oregon history, that the bitterness of America towards Great Britain was intense. Not only was the Revolution fought on American soil, with suffering unknown to the English people, many of whom did not

approve of this war by their foreign king, but the hatred following that had not died out before the War of 1812 was on, and in this war, as in the other, the Indians had joined the more tactful British rather than the aggressive Americans who were taking their lands away from them. The Americans tried, indeed, although almost in vain, to use the Indians against the British; but they did not know how to manage the redskins chiefly because of their own aggressiveness.

And that aggressiveness showed itself continually towards Great Britain. British diplomats wrote home, from Washington, in despairing tones, "The aggressiveness of these Americans!" But the Americans were crying,—and clippings attached to the diplomatic letters prove it,—"The aggressiveness of Great Britain!" "Like father, like son." John Bull and his son Jonathan were so exactly alike they could not possibly understand each other—until each had mellowed, and time and distance had softened bitter feelings.

And though this may seem far afield, in it lies the explanation of much of Oregon's history, and the threat of a third war over the Northwest Coast of America.

In 1804 — the writer cannot locate the citation at the moment, amongst a mass of papers,—the North West Company wrote to the Colonial Office, expressing their determination to explore the Pacific, and asking that they be given the monopoly of any route found across the Rocky Mountains and to the western ocean. Such a monopoly was refused. In that same year, be it noted, Lewis and Clark started across the continent, through old-time Louisiana, and the southern border of the Oregon Country which lay beyond.

In 1807, David Thompson, long hammering at the difficulties of the Canadian Rockies, unsupported by his Indian-fearing *voyageurs*, and actively opposed by surrounding tribes who feared their enemies west of the Rockies would thereby gain trading goods and guns, suddenly found his way unopposed. The Indians, so he states,* had gathered around the

*F. O. 5, Vol. 441.

“headwaters of the Mississourie,” expecting the return of the white men that year. Had Lewis and Clark returned, or other white men appeared, doubtless there would have been a battle, or many gifts to avert one. So Thompson crossed the Rockies and made his way that year, and for several following, around the headwaters and upper reaches of the Columbia, arriving at the mouth of the Columbia in July, 1811, a few months after the arrival of Astor’s men.

It is clear, in studying fur trade history in its entirety, that Astor’s plan of an overland route, with posts on the Columbia or the Pacific, was not so new or so brilliant as usually credited to “a German person, named Oster,” as he is described in a letter of the time. Nor was his outlay of money more daring than that of the North West Company. Nor was his plan of operation very different in idea, though with better financial backing, than the plan of Captain John Meares, half-fraud though Meares was. The laudation of Astor has always seemed exaggerated to the writer.

The British, meanwhile, had in their own eyes a clear case to the ownership, or possession, of the North West Coast. They, aside from the Spanish, were the first to explore, as well as to discover; and the first to trade. America followed more than a boat’s length behind; and American traders had been on the coast only a year when Spanish claims were settled so far as Great Britain was concerned, without protest or question by America, in the Nootka Sound Convention. As to the actual discovery of the river, Meares’ record was confusing: on approaching the “bay,” he says he “steered in,”—meaning “steered in *towards*.” And upon beating a retreat, he says he “steered out,”—he did, but without steering in. Broughton, representing an official exploring party, in his chagrin and attempt to rob Gray of the credit due to the first crossing of that bar, claimed that he was the first to explore the “river,” and that added to the confusion. If the exploration of fur traders could count for national claims, then the British were first through Meares’ claim of having

“steered in,”—three years ahead of Gray. But if fur traders did not count, then Vancouver’s expedition was the first, and here again was Broughton’s claim.

“The discovery of the Columbia is lost in obscurity,” wrote one Foreign Office official to another, in a private memorandum,—and it was. Gray’s fur-trading log was not located by the Government until 1817,—the summer the *Ontario* sailed. When it was looked up through the ship’s owners, an affidavit was made only of that fortnight of entering and trading in the river, and the exit. The Government did not even claim the log,—a mistake as against Vancouver’s official, published reports—sanctioned and recognized by the British Government. When in 1837 tension had increased, and the American Government searched for Gray’s log again, both he and his wife were dead, and the niece to whom he had left the treasure had used the log for wrapping paper! So far as Government records went, there was plenty of obscurity, and the configuration of the coast, the shape of that large bay-like mouth of the river, and the bars, seem not to have been comprehended by either government to any degree.

The sale of Fort Astoria is too well known to need comment, aside from the fact that almost invariably there is omitted the statement, as given by Alexander Henry, (in his *Journals*, ed. by Coues), that Wilson Price Hunt, after an investigation of the prices at which the fort and furs were sold, assented to them and thus sanctioned the sale. Without his approval the arrangements made by McDougall for the sale could not have been held; so the charge of treachery seems quite unfounded for this, as well as for other reasons.

But with the war on, the North West Company’s nudging of the British Government, asking for a warship to capture this post, brought the matter to the attention of the Colonial officials and other British statesmen. The Americans were mere squatters on the Columbia from the British point of view, and hardly was the fort sold, on the Columbia itself, and Captain Black’s reports sent in cipher overland to Canada, and to London,—this being the quickest route,—than plans

were being made to colonize the North West Coast. By discovery, exploration, trade and contiguity to Canada, the British considered it theirs. It only remained to make America see reason. Spain's claim had been practically settled.

On July 4th, 1814, William Pitt sent some notes to Lord Castlereagh¹ which he called: "Observations on a pamphlet entitled, 'A Compressed View of the Points to Be Discussed in Treating with the United States of America,' with supplementary remarks." In these notes Pitt suggests the desirability of a treaty with Russia, giving her all north of 58°, (the entrance to Cross Sound), and perhaps Cross Sound to the Frozen Sea, or a line east to Mackenzie River from its mouth, Slave Lake, Slave Lake to Athabasca Lake, and due west to Cross Sound. In this way, he thought, Russia's territory would be convenient to her Asiatic possessions, and the most advantageous part of the Coast would be secured to Great Britain from 58° to the Columbia at 46 degrees.

It has usually been thought that restoration of Astoria gave the impetus to the Columbia as a line of demarcation, even by a very recent writer.² But it is clear that Pitt, if he regarded Great Britain as having full claim to the Californian line, did not intend to exclude the American entirely from the Pacific coast line.

Pitt's plan covered the following points: For protection and the advancement of commerce, and especially the fur trade, he thought there should be a line of internal communication across the continent. That there was one, he seemed not to know. The British fur traders did not always notify their government of all exploration made by them. At Nootka Sound, Pitt would plant a colony of "useful and industrious British subjects," with a governor supplying them from the Sandwich Islands, China, and New South Wales. These colonists were to form a Provincial Corporation, with a small naval force to check piracy. Clergymen were to be sent there

¹ F. O. 5, Vol. 103.

² Oreg. Hist. Quar., Dec., 1918, p. 277.

for the settlers and missionaries for the Indians. He refers to Vancouver's recommendations in Book 4, Chap. 9. The advantages would be: British commerce, the propagation of Christianity, and the general civilization of extensive and unenlightened British possessions.

A week later, July 11, 1814, William Pitt sent a second note to Lord Castlereagh on this matter.³

The reduction of the army and navy, he thought, would give good selections for colonists. These should be young men of the best character, soldiers and sailors, married, with not more than two children to a family. Each should be skilled in some trade or calling useful to a colony. Care must be taken in the selection of officers for defence, and for general policy of the colony,—married men, he thought, with some property. The colonists were to engage in trade, fisheries, and commerce, as well as to explore the country and its resources. The precedent for such action had been set by Russia, after the death of Peter the Great, in ascertaining the resources of the country and the people. Many hints, Pitt thought, could be obtained from the Lewis and Clark reports, and from Müller's report on the Russian people. The selection of colonists should include some men of science, skilled in natural history, mineralogy, etc. He suggested as a leader a Mohawk chief, educated in Scotland, of high character, well-informed, master of the English language, an Indian, yet warmly attached to Great Britain. Pitt was sure Sir Alexander Mackenzie, the North West Company, and the Hudson's Bay Company, would all aid in such a scheme.

There was great overcrowding in England at that time, and economic suffering was great. This may have been at the bottom of Pitt's plan; but nothing seems to have come of it. It is likely that the Government felt more inclined to aid colonists to points in eastern Canada, where safety was greater and expense much less.

The Treaty of Ghent was signed Christmas Eve, 1814, at the little Flemish town of that name. The Columbia River

³ F. O. 5, Vol. 103.

was not mentioned in the treaty. Shortly after their return from Ghent, Lord Bathurst told Simon McGillivray, that "requiring from the Americans any recognition or guarantee of His Majesty's rights thereto, might tend to cast doubt upon a title which was already sufficiently clear and incontestable." [See entire letter below.]

And James Monroe, for America, had written to the plenipotentiaries, under date of 22nd March, 1814, "On no pretext can the British Government set up a claim to territory south of the northern boundary of the United States. It is not believed that they have any claim whatever to territory on the Pacific Ocean. You will, however, be careful, should a definition of the boundary be attempted, not to countenance in any manner, or in any quarter, a pretension in the British Government to territory south of that line."^{3a}

So the road to difficulties lay wide open. Hardly was the ink dry on that Treaty of Ghent than John Floyd of Virginia brought in, 1815, the first of his annual bills for the occupation of the Columbia. The bill did not reach a third reading.⁴

That same year, 1815, Admiral Porter was urging the exploration of the Pacific.⁵ Two frigates, the *Guerrière* and the *Java*, were to have been placed under Porter to explore the Pacific and the North West Coast. This was Admiral Porter's own idea, outlined in a letter written to James Madison, then President. The expedition was never sent out; the idea was revived again in the late 1820s, a commander and ships assigned, but actually the scheme was carried out only in 1840 by Commander Charles Wilkes.

But the race for the possession of the North West Coast had begun under governmental sanction. No longer was it merely a question of the fur trade.

On July 18th, James Monroe sent a message to Anthony St. John Baker, then British *Chargé d'affaires* at Washington, following it up by a letter evidently requested by Baker:

[Monroe to Baker]⁶

^{3a} Bancroft, North West Coast, Vol. 2, pp. 294-5.

⁴ F. O. 5, Vol. 157.

⁵ F. O. 5, Vol. 157.

⁶ F. O. 5, Vol. 107.

“Department of State,

“July 18th, 1815.

“Sir,

“It is represented that an expedition which had been sent by your government against the post of the United States established on Columbia River had succeeded in taking possession of it. By the first article of the Treaty of peace, it is stipulated that all territory, places, and possessions whatsoever taken by either party from the other during the war, shall be restored without delay, with the exception only of the islands on Passamaquoddy Bay, which should remain in the possession of the party in whose occupation they then were, subject to the decision provided for in the 4th article. As the post on the Columbia River was taken during the war, and is not within the exception stipulated, the United States are of course entitled to its restitution; measures will therefore be taken to occupy it without delay. It is probable that your Government may have given orders for its restitution; to prevent, however, any difficulty on the subject, I have to request that you will have the goodness to furnish me with a letter to the British Commander there to that effect.

“I have the honor to be

&c., &c., &c.,

James Monroe.

“To Anthony St. John Baker, Esq.,

&c., &c., &c.

The next day Baker addressed the following letter to Lord Castlereagh:⁷

“Washington, July 19, 1815.

“My Lord—

“Mr. Munroe having requested an interview with me at the Department of State, I accordingly waited upon him at the time appointed.

“He stated he was desirous of speaking to me upon one or two points, the first of which related to the establishment

⁷ F. O. 5, Vol. 107, No. 24.

which the United States had possessed before the war on the Pacific Ocean at the mouth of the Columbia River, but which had been broken up by a naval force, sent by the British Government for that purpose. He conceived that it fell within the meaning of the first article of the Treaty of Ghent, and ought to be restored, for otherwise it would have been particularly excepted in the treaty as had been the case with the Passamaquoddy Islands, and requested to know whether I agreed in that opinion.

"I replied that I had not considered the subject, which was unexpected by me; that in fact, I did not immediately call to mind what was the result of the expedition to which he alluded, and was not aware that any persons whatsoever had been left upon the spot who could affect the restoration required, should the case be thought to come under the treaty, but that I was ignorant of any transaction between the two Governments which recognized the claim of the United States to any part of the coast of the Pacific Ocean.

"He did not state the foundation on which the claim to this territory rested, insisting merely upon the fact of its having been captured from the United States during the war, which brought it within the Treaty * * * [Omission on the fishery question.]

"Mr. Munroe * * * led me to expect that he would make a written communication * * * relative to the restoration of the settlement on the Columbia River * * * [Omissions on fisheries.]

"P. S. Since writing the above, I have received Mr. Munroe's letter relative to the restoration of the settlement on Columbia River, a copy of which I beg leave to enclose. It is my intention in my reply to refer him to Rear Admiral Dixon, who commands in those seas.

A. B."

Five days later, Baker sent the following answer to Secretary Monroe:⁸

"Washington, July 23, 1815.

"Sir:

"I have had the honor to receive your letter of the 18th instant acquainting me that it had been represented to the American government that a British force sent for that purpose had succeeded in taking possession of the United States establishments on Columbia River, and claiming its restoration under the words of the 1st article of the Treaty, upon the ground of its having been captured during the War; stating likewise that His Majesty's Government may have given orders for its restitution, but requesting with a view to prevent any difficulty on the subject, that I would furnish a letter to that effect to the British Commander there. As I have received no communication on the subject of these orders from His Majesty's Government, you will readily, I am convinced, perceive the unpracticability of my forwarding a letter of this nature; and although it is believed that the post in question has been captured (of which, however, the American Government does not appear to have any certain information on which to ground the claim of restitution) yet another point equally essential remains in great uncertainty, viz: whether any persons whatsoever were left to retain possession of it. My impression is that the establishment was broken up, and the persons found there brought away. Vice Admiral Dixon, however, the Commander in Chief of His Majesty's Naval Forces on the Brazil Station, within whose command the Pacific Ocean is included, is no doubt in possession of every necessary information in relation to this post, and will be able to communicate on the subject with any authorized agent on the behalf of the United States * * * [Omissions on other subjects.]

Baker also wrote, on July 24th, 1815, to Vice-Admiral Mangles Dixon, in charge of the Pacific; and another letter went post haste to Sir Gordon Drummond, Governor of Canada,

asking him for information which might be secured from the North West Company. The inquiry went to William McGillivray, but his brother Simon happened to be in Canada, having just arrived from England (see letter below, dated New York, November 15, 1817,) and together the Nor'westers made their answer. A copy (checked against the dateless original) with a subsequent note from Simon McGillivray, dated March 23rd, 1822, is used.

The explanatory note is given first, then the report of 1815.⁹

“Appendix

“The Statement of which the following is a copy was drawn up at Montreal in 1815, at the request of Sir Gordon Drummond, who had been applied to by the British Chargé d’Affaires at Washington for information on the subject of the settlement at the Columbia River for it seems that even at that early period the American Government took a very different view of the case from that which has been expressed by Lord Bathurst and from the ulterior measures of Government it is evident that they (the Americans) have carried their point as far as the restitution of Fort George.

“The opinion given by Lord Bathurst and by Mr. Gouldburn after the ratification of the Treaty of Ghent are perfectly in my recollection, but it is of little use now to refer to them further than to show how the American Government succeeds in establishing points and obtaining concessions.

(Signed) Simon McGillivray.”

London, 23rd March, 1822.”

“Appendix

“Statement relative to the Columbia River and adjoining Territory on the Western Coast of the Continent of North America. [1815]

“The claim of Great Britain to the Sovereignty of a considerable part of the Northwest Coast of America was orig-

⁹ C. O. 6, Vol. 6. Original was taken from its place and used as an enclosure, found in F. O. 5, Vol. 123. Checked against the duplicate used.

inally founded from rights derived from the Discovery of the Country by Sir Francis Drake who in the reign of Queen Elizabeth visited the Northern part of California which country he called New Albion, and of which he took possession in the name of his Sovereign. Since that time the claim has never been relinquished although the Spaniards have been allowed to encroach upon the country in question, by extending their settlements to the Northward of the place whereof Drake had taken possession, yet still the Country situated to the Northward of the Spanish Settlements was always claimed by Great Britain and the claim was tacitly admitted if not publicly recognized.

"This early right of discovery is, however, important only in a discussion of claims with *Spain*; for as to any claim which may be set up by the United States of America, it will be easy to find rights prior to theirs without going back further than the Reign of his present Majesty. Captain Cooks' repeated visits to that Coast and his taking renewed possession thereof in His Majesty's Name before the Americans became an independent people, is surely a sufficient title against *them*, and the occurrences at Nootka Sound in 1789 and the Armament against Spain in consequence of the aggressions committed upon British Subjects on that Coast, afford ample proof that the possession thus taken was not meant to be merely a nominal possession but it was considered by the Government of that day a matter of such importance as to afford a sufficient cause for going to war with Spain.¹⁰

"Subsequent rights of Discovery, also prior to any that can be claimed by the United States may be adduced as a further confirmation, if any were wanting, of the Title of Great Britain to the Territory in question. In the year 1792 Sir Alexander McKenzie, then a Partner of the North West Company, explored the Country beyond the Rocky Mountains and was the first who penetrated to the Pacific Ocean. *He* also took pos-

¹⁰ [Note by McGillivray]: Reference may be particularly had to the negotiation upon that subject with the court of Madrid in the year 1790 and the convention of 28th October of that year, which was the result of these negotiations and of the armament referred to.

session of the Country in the name of his Sovereign, and previously, in 1791 [1792], Captain Vancouver had surveyed the Coast and the River Columbia from its mouth to the falls, which are 200 Miles from the Sea. Soon after Sir Alexander McKenzie's Voyages, the North West Company established Trading posts in the Country beyond the Rocky Mountains and upon the head Waters of the Columbia River. So that besides the repeated Acts of taking *formal* possession, British Subjects have for above Twenty Years been in actual possession of the Interior of the Country in question and have maintained the same uninterruptedly.

"It was only about two years ago that the Government of the United States began to set up pretensions¹¹ to the North West Coast; for until after their purchase of Louisiana from Bonaparte they had never possessed or had even claimed any Territory to the Westward of the Mississippi; but upon making the purchase of the Province of Louisiana and finding that its Geographical Boundaries to the Northward and Westward had never been expressly limited or defined, they immediately took advantage of this circumstance to claim Boundaries as extensive and indefinite as possible; and without waiting to have the matter of right investigated or ascertained they hastened to take possession of the country so claimed by them, intending doubtless when they once had taken possession to maintain it whether right or wrong. With a view, therefore, to extend their territorial claims across the Continent to the Pacific Ocean and establish a communication therewith through the Rivers Mississourie and Columbia, the American Government in the year 1806 [1803] fitted out an expedition to explore the Country under the Command of Captains Lewis and Clarke, who proceeded to the head of the River Mississourie thence across the Rocky Mountains to the River Columbia and so down to the mouth of that River from whence they returned [1806] by the same route.

¹¹ Throughout this diplomatic correspondence, *pretensions* is used with the meaning of *claim*, not with the more sinister meaning now more usually attached to it.

"In order to give the expedition as much as possible the Air of a Voyage of Discovery, and to make it appear as if they were exploring and taking possession of an unknown Country, though in fact the Country in the Interior was well known to the Traders from Canada, the Americans as they went along, bestowed new Names on Rivers, Mountains, &c., such as Jefferson's River, Madison's River, and so forth, forgetting or affecting to forget that the Columbia River had already been surveyed by Captain Vancouver and that a route across the Continent to the Pacific Ocean had already been traversed by Sir Alexander McKenzie, both of whom as well as Captain Cook, had taken possession of the Country in the name of His Majesty as hereinbefore mentioned

"Uniting this project of the extension of Territory, with another favorite object, the obtaining possession of the Fur Trade, and detaching the Indian Nations from their partiality to the British and Canadian Traders, the American Government, soon after the return of Captains Lewis and Clarke, established a Chartered Company at New York to prosecute the Fur Trade of this New Country under the name of the Pacific Fur Company at the head of which was Mr. John Jacob Astor of New York and this Pacific Fur Company commenced their operations in the Summer of 1810, when Ships were sent to the Coast, a Fort Built at the mouth of the Columbia River, the Country taken possession of as American Territory, and named *Astoria* and the rights of Great Britain disregarded.

"Representations upon this subject were from time to time made to His Majesty's Government by the North West Company's representatives in London. Upon this subject they have had the honor of conferring with several of His Majesty's Ministers¹² at different times and they all expressed their opinion that the country in question belongs of right to Great Britain and that the United States had no just claim whatever

¹² [Note by McGillivray]: The ministers particularly alluded to as having given decided opinions on the subject are the Earl of Harrowby, the Marquis of Wellesley, Lord Viscount Castlereagh, Earl Bathurst, Mr. George Rose, etc., etc.

to the possession of it, but still no measures were for some time adopted by Government to interfere with their then new Establishment at the Columbia River, and this forbearance may be imputed to the following causes, viz. viz. 1st. The object was remote and possibly considered of less importance than it would have been under different circumstances. The country was engaged in War with numerous and powerful Enemies and Government was doubtless unwilling to add to their number by quarreling with America or adding to the causes of quarrel already existing.

“The North West Company had in the meantime extended their Trading Posts across the Mountains to the Pacific Ocean, and it became necessary to send their people Supplies by Sea from England, but they had previously applied to Government for a Charter or Grant of the Trade of the Country to be thus supplied, and to the East India Company for permission to carry its produce to China, and thus Two Years were occupied by these applications and preparatory arrangements.

“This was the state of matters at the commencement of the late War with the United States, when at length Government resolved to interfere in the matter. The American Company was in possession of a Fort or Trading Post at the mouth of the Columbia river and also of some Posts in the Interior. The North West Company had established several Posts in the Interior, and had sent a party to proceed to the Coast in the summer of 1813, to meet a Ship with Supplies from England which was fitted out in the fall of 1812, and which must have proceeded on her destination even without the protection which Government afterwards granted but ultimately the protection sought was obtained.

“The Phoebe frigate and the Cherub and Raccoon Sloops of War were sent around Cape Horn and the Raccoon was sent to the Columbia, to destroy the American Establishment and to take possession of the Country as British Territory. From the detention which had occurred in the sailing of this Expedi-

tion from England, their arrival at the Columbia was much later than had been contemplated, and [than] arranged with the North West Company's people who had proceeded to meet them from the Interior and who reached the Sea in August, 1813, while the Raccoon did not make her appearance until the month of December following, and the North West Company's ship the Isaac Todd not until April, 1814. The People from the Interior therefore despairing of the arrival of their expected Supplies and Support by Sea, found it necessary to make the best arrangement in their power with the people whom they found in possession of the Country. Many of these though Partners or Servants of the Pacific Fur Company were British subjects and would not fight against their Country, and learning of the American War inclined them to change sides. The Americans were not sufficiently strong to defend their Fort in the event of this defection taking place, and they were under apprehensions from the expected arrival of the Men of War. The result was an arrangement by which the Americans agreed to retire from the Country and to sell the Goods which they had at their Fort which the North West Company's people purchased, and thus when the Raccoon appeared in December, 1813, she found the place in possession of Friends and her Officers were not a little disappointed in their hopes of prize Money. Captain Black of the Raccoon once more took formal possession of the Country in His Majesty's name and called the principal post Fort George, under which name it is now held by the North West Company.

"It is evident from this statement that Fort George is not a Conquest the restoration of which the American Government are entitled to claim under the 1st Article of the late Treaty, nor could it have been so considered by the framers of that Treaty for one of the representatives of the North West Company had the honor of an interview with Lord Bathurst on the subject after the ratification of the Treaty was known and not long after Mr. Gouldburn's return from Ghent; when

his Lordship declared decidedly that the Country in question was not considered as to Conquest to be restored under the Treaty, but as a British Territory to which the Americans had no just claim, and the reason which his Lordship assigned for this country not being mentioned in the Treaty was, that, requiring from the Americans any recognition or guarantee of His Majesty's rights thereto might tend to cast a doubt upon a Title which was already sufficiently clear and incontestable."

The many mistakes in the above report, both as to facts and dates, are no greater, if as great, as those made in speeches in the American congress. On both sides they indicate the lack of knowledge prevailing and the resulting confusion.

II.

Meanwhile, the Nor'westers had been very uncertain as to their rights and standing on the North West Coast, not only as indicated by McGillivray's interview with Lord Bathurst, but by the letters of Inglis, Ellis & Co., to Henry Gouldburn.

In one, dated London, July 25th, 1815,¹³ they stated they had fitted out for the River Columbia quantities of manufactured goods, solely for Indian trade, but "We have been very much alarmed by reports circulated of other stipulations made in a commercial treaty subsequent to that of Ghent, by which all intercourse of trade is said to be interdicted between His Majesty's subjects and the Indian tribes residing within the territories of the United States." They ask for information, and whether the British Government will protect them, especially on the Columbia, and on the coast north of it, should they "be molested by American citizens or the American government." "We are perfectly aware," they add, "that our own interests in this trade must be sacrificed by necessity to views of public policy." They insist, however, they must have the actual situation before investing more money in the Columbia.

Three days later,¹⁴ the firm again wrote to Henry Gouldburn, 28th July, 1815, "to ascertain whether we may rely on the protection of His Majesty's Government in our arduous undertaking of establishing a colony, (to carry on the fur trade between China and the Columbia River) on the shores of the Pacific, which was first discovered and taken possession of by British subjects. . . .

"We certainly would prefer prosecuting the trade as British

¹³ C. O. 42, Vol. 164.

¹⁴ C. O. 42, Vol. 164.

subjects, unconnected with citizens of any other state, but still from circumstances which have come to our knowledge, it may become absolutely necessary, either to combine our interests in the trade with those of American merchants, or to abandon it entirely, without we have some assurance of protection on the part of our government."

Again on 2nd August, 1815,¹⁵ in a third letter to Gouldburn, Inglis, Ellis & Co. write: "We have established a colony of British subjects on the Columbia River, for the purpose of carrying on the fur trade with China."

Three vessels in two years, they stated, had been sent with Indians goods, "for that trade [Columbia] in which we have involved property exceeding one hundred and fifty thousand pounds sterling.

"We are now assured that that property is subjected to the risk of forcible seizure by American citizens or the American government, on the plea that as British subjects we have no right to carry on trade with Indians within the territories of the United States, which are now said to extend to the shores of the Pacific."

The Nor'westers again demand assurance of safety in carrying on their trade from the mouth of the Columbia to Russian settlements, and from the Rocky Mountains to the sea. If the colony on the Columbia river was on British soil, they could advance trade; otherwise they must abandon it.

The other side of this correspondence will never be known, until the long-lost North West Company documents are discovered,—unless burned, or destroyed,—which will probably be in some cellar or attic in Montreal. They are not in London, nor have they ever been in the possession of the Hudson's Bay Company, as stated by Edward Ellice to that Company in a letter of 1825, after the two companies had merged and the English company made inquiry regarding the papers of the Nor'westers.

The year 1815 was a busy one for the Americans, as the

¹⁵ C. O. 42, Vol. 164.

British saw it.¹⁶ Aside from the economic problems involved by the great European wars, a rumor was out that Spain had again ceded the Floridas to Great Britain in payment for money loaned during the war in the Peninsula. Secretary Monroe was very anxious about it. That year, also, there was the war with the Dey of Algiers. The Indians were also on the rampage, on the northern and western frontiers, and in the Floridas. The British noted it. And the determination seems to have become stronger at Washington to have the future of the United States troubled with as few neighbors as possible,—and that meant controlling a larger section of the North American continent. War had broken out also in South America, where Spain was fighting her badly-treated colonists.

A bill appeared again in 1816; but the public were paying little attention to the Columbia, at that moment.

By 1817, decisions seemed to have been reached, as shown in a letter from Sir James Lucas Yeo, written from H. M. S. *Inconstant*, Spithead, 30th August, 1817, to John Wilson Croker, Secretary of the Admiralty, London.¹⁷

The sympathies of the United States were with the Spanish insurgents, he wrote, especially in Florida, trade was at a standstill, and Americans said to be in close touch with the Spanish insurgents on the Pacific. The United States were "indefatigable in training the militia and have removed every foreigner from their army." Large orders had recently been given to the cannon factory, and everything "portends a restless and hostile spirit towards this country." Meanwhile, in the same letter, Sir James also noted that the *Ontario*, a U. S. sloop of war, *was sailing* around the Horn with three commissioners and two secretaries "to obtain possession of some island or territory in that quarter, preparatory to their establishing a very extensive commerce in those seas."

To omit the *Ontario* for a moment, a better view is gained

¹⁶ F. O. 5, Vol. 106. Baker to Foreign Office.

¹⁷ F. O. 5, Vol. 128.

of the United States as a whole, by continuing the British comments on the general trend of things. On April 16th, 1818, James Buchanan (a relative of the President of the same name), then British Consul at New York, wrote to Lord Castlereagh:¹⁸

The acquisition of Louisiana, the claims founded thereon, the seizure of and means used to obtain the Floridas, the energetic increase of the navy, the determination to rival the naval and maritime power of Great Britain, the commercial warfare the United States are now carrying on towards England, the avowed aim to possess Cuba and His Majesty's possession in North America, which pervades all classes, sanctioned by the measures of the executive . . . —well, it made America a rather difficult country for Great Britain to deal with. And it explains John Quincy Adams and the sending of the *Ontario*.

On November 7th, 1817, Charles Bagot wrote to Lord Castlereagh, from his post at Washington:¹⁹

"A report has been in circulation here that the United States sloop of war Ontario who has lately sailed from New York, and which is believed to be destined to the South Pacific, has received instructions to proceed also to the mouth of the Columbia river, I cannot hope to ascertain positively whether this report is well founded or not, but I thought it right to communicate it privately to Sir John Sherbrooke, in order that he may, if he thinks proper, put the North West Company upon their guard against any design which may possibly be in contemplation of the American government to re-establish the settlement which they formerly attempted to make at the mouth of that river, and of which your Lordship will see by a reference to Mr. Baker's despatch No. 24, of the year 1815,²⁰ that soon after the peace they endeavored to claim the restitution under the 1st article of the Treaty of Ghent . . ."

But Simon McGillivray, down in New York City, had also

¹⁸ F. O. 5, Vol. 135.

¹⁹ F. O. 5, Vol. 123.

²⁰ Quoted above.

heard rumors, and he took prompt means to communicate with the British representative at Washington, as below:²¹

"New York, November 15th, 1817.

"To his Excellency,
the British Ambassador.

"Sir,

"I am induced to take the liberty of addressing this letter to your excellency, in consequence of information which I have obtained, relative to the destination of the United States ship Ontario, which sailed about six weeks ago for South America, and which, according to newspaper report, is likely to have gone to the Pacific Ocean.

"I am not at liberty to mention the channel through which I have received the information in question, but it comes from a source which in my opinion entitles it to attention. Otherwise, I certainly should not have presumed to make this application to your Excellency upon the subject.

"My information is that the Captain of the Ontario has instructions to proceed ultimately to the Columbia River, and to seize or destroy the establishment and trade of the North West Company upon that Coast,—what pretext may hereafter be set up to justify this attack I really cannot imagine unless it should be the recent act of Congress prohibiting foreigners from any trade or intercourse with the Indians within the territories of the United States, and the assumption that the country bordering upon the Columbia River form a part of their territories. This assumption, destitute of foundation as it can easily be shown to be, is one which the American government has aimed at setting up ever since the purchase of Louisiana, and the attention which they have always directed towards that object affords in my opinion a strong corroboration of the story relative to the Ontario.

"In the month of July, 1815, Mr. Baker, who was then Chargé d'Affaires at Washington, applied to Sir Gordon Drummond, who at that time administered the Government of

²¹ F. O. 5, Vol. 123.

Canada, for some information relative to the actual situation of the country in question, and Sir Gordon Drummond consequently applied to my brother, who, as the principal director of the North West Company, was of course the person most competent to speak to the facts. I happened at the time to be in Canada, having recently arrived from England, where I usually reside, and where I had the honor of seeing and conversing with my Lord Bathurst upon this very subject, subsequent to the ratification of the Treat of Ghent. Having also been the person chiefly engaged in planning and fitting out the North West Company's adventures to the Columbia River, from the first suggestion of that undertaking, I necessarily had an intimate knowledge of the particulars which appeared requisite to answer Mr. Baker's enquiries, and after due consideration and comparison of the information thus possessed by different individuals a statement was drawn up²² and sent to Sir Gordon Drummond, who transmitted it to Mr. Baker, and that gentleman, whom I had the honor of seeing at Washington afterwards, but before your Excellency's arrival, acknowledged having received the statement, but discouraged any discussion relative to it which I attempted to introduce.

"I heard no more upon the subject until now, on my way from Canada to England, that the information reached me which has caused this letter, and having among my papers a copy of the statement in question, I take the liberty to enclose it, in case it may be found to contain any thing worthy of your Excellency's consideration. The state of the country in question still remains nearly the same as at the time this paper was written. Fort George and various trading stations in the interior are held by the North West Company, who have about three hundred persons permanently employed in the trade of the country between the Rocky Mountains and the Pacific Ocean. We have one vessel now on that coast and another sailed from England with supplies for our people in September last.

²² See McGillivray statement above.

"I cannot presume to suggest to your excellency any course to be adopted on this occasion but it appears to me that the question might be put whether the Ontario had any instructions to act [with] hostility towards the British traders on the North-West Coast, and the Columbia River. This, however, I merely venture to submit to your Excellency's judgment, and have the honor to be, &c., &c.

SIMON MCGILLIVRAY."

On November 21st, 1817, Sir Charles Bagot received this notice from Simon McGillivray, that the Ontario was "to seize or destroy the establishments and trade of the North West Company" on the Columbia. In a report to Lord Castlereagh, he wrote:²³

"Upon receipt of this letter, I thought it my duty to lose no time in endeavouring to ascertain distinctly, from the American government, whether such a measure really was in contemplation; and I accordingly asked for a conference with Mr. Adams, at which I communicated to him the information I received, and requested him to acquaint me whether it had any foundation.

"Mr. Adams appeared to me to be considerably embarrassed by my question, but after a short silence, he said that the Ontario had certainly gone to the North West Coast of America, but that she had not received any orders either to destroy or disturb the trade of the North West Company.

"He then said that I must be aware that the United States had long possessed a settlement upon the Columbia River which had been captured during the late war, and that upon the peace, application had been made to Mr. Baker for its restoration, to which Mr. Adams alleged that Mr. Baker merely replied that the fort had been destroyed, and that he believed that no persons would be found there who could make restitution, and that the object of the voyage was to re-establish

²³ F. O. 5, Vol. 123.

this settlement; which, he rather seemed to imply, was already in the possession of the United States.

“Having ascertained the fact of which I desired to be assured, I made very little observations upon Mr. Adams’ remarks; but in the short conversation which followed, he stated that the Columbia had been first discovered by an American ship which sailed from Boston between the years 1780 and 1790. To this I immediately replied that the coast had been uniformly claimed by Great Britain, as might be seen by reference to the discussions which had formerly taken place with the Spanish government, the only government with whom any discussion upon that subject could arise.”

Further than that, Mr. Adams then “only observed that, in his opinion, it would be hardly worth the while of Great Britain to have any differences with the United States on account of the occupation of any part of so remote a territory.”

But Sir Charles thought that a ship of war sent to a country claimed by Great Britain was “a serious matter.” He had sent an express to Sir John Sherbrooke, asking if they could warn the North West Company through an express sent by their interior posts, overland. The *Ontario*, so Sir Charles noted in a closing sentence, had on board a Mr. Tyler for Peru.

But Sir John’s answer²⁴ was that it was too late for an express overland. The North West Company would send a memorial, to be used as a basis of representations to “the United States cabinet.”

On December 23, 1817,²⁵ the North West Company did present a petition to Sir John C. Sherbrooke, Governor of Upper and Lower Canada, and Vice Admiral, asserting their rights to the North West Coast, stating that the *Ontario* “is bound for the North West Coast of America, with intentions hostile to the trade and establishments of the North West Company in that quarter.” She was going to Fort George, yet that was a “place not having been taken possession of by

²⁴ F. O. 5, Vol. 130.

²⁵ F. O. 5, Vol. 131.

right of conquest but by a right founded on the just claims of discovery and previous possession of the country by His Majesty's subjects."

On November 24th, Sir Charles wrote to Lord Castlereagh, in cipher:²⁶

"My Lord,

"I have been this day informed by Mr. Adams, in answer to an inquiry which I thought it my duty to make upon the subject of the destination of the United States sloop Ontario, commanded by Captain Biddle, and rated at eighteen guns which sailed from New York the 4th of last month [October] that that vessel had been ordered to proceed to the mouth of the Columbia River, for the purpose of establishing the settlement of which the United States were dispossessed during the late war.

"I have thought it proper to lose no time in giving Your Lordship this information.

"I shall write more fully by the packet which will sail in a few days.

"I have the honour to be with great truth and respect,

"Your Lordship's most humble, obedient servant,

CHARLES BAGOT."

Two days later, November 26th, 1817,²⁷ Sir Charles wrote John Quincy Adams that the post was not captured, but abandoned by agreement, and "as it thus appears that no claim for the restitution of the post can be grounded upon the 1st article of the Treaty of Ghent, and as the territory itself was early taken possession of in His Majesty's name, and has been since considered as forming a part of His Majesty's dominions, I have to request that you will do me the honour to furnish me with such explanation as you may judge proper of the object of the voyage of the Ontario, so far as it may relate

²⁶ F. O. 5, Vol. 123.

²⁷ F. O. 5, Vol. 123.

to establishments upon the territory to which I refer, in order that I may be enabled to represent to His Majesty's government . . . a measure in which His Majesty's rights and interests appear to be so materially involved."

On December 1st, Sir Charles wrote to Lord Castlereagh,²⁸ as follows:

"Washington, December 1, 1817.

"Sir:

"In my private letter of the 3rd of last month, I had the honour to acquaint your Excellency with a report which has been in circulation here respecting the destination of the United States sloop-of-war Ontario. I have since had an opportunity of ascertaining that this report is well founded.

"At an interview which I had a few days ago with the Secretary of State, I communicated to him the information which I had received upon this subject, and I requested that he would inform me whether orders had been given to the Ontario, to proceed to the Columbia River, for the purpose of making establishments in its vicinity, or of disturbing in any way the trade of the North West Company.

"Mr. Adams stated to me in reply, that the Ontario had certainly been directed to proceed to the North West Coast of America, and that she had been instructed to establish a settlement, which the United States had formerly possessed, at the mouth of the Columbia River, and which has not been restored since its capture in the late war, but that she has not received any orders to disturb or interrupt the trade of the North West Company.

"It is not necessary for me to trouble your Excellency, at present, with any examination of the arguments which the American government may design to urge, in support of this measure which they have thought proper to adopt, but a reference to Sir Gordon Drummond's despatches to Mr. Baker of the 14th and 31st of August, 1815, will prove to your Excel-

²⁸ F. O. 5, Vol. 123.

lency that the settlement to which Mr. Adams adverted was not captured during the war, consequently that its restitution cannot be claimed under the 1st article of the Treaty of Peace.

"The enclosed copy of a note which I have addressed to the American government, will sufficiently explain to your Excellency the course which I have thought it my duty to take in this business, until I can receive an answer to the despatches which I have forwarded by this mail to His Majesty's government.

"I have not yet received an answer to this note, nor is it necessary for the immediate purposes of this letter, that I should.

"Whatever may be the grounds which the American government may assign for the step which they have taken, it appears to me to be in the highest degree important, that the Ontario should if possible, find upon her arrival at the Columbia River, that the Territory is in the actual possession of His Majesty's subjects. For this purpose I am anxious to submit to your Excellency's consideration, whether it might not be still practicable, through the means of the interior posts of the North West Company, to convey to such of its traders, as may happen to be upon that Coast, intelligence of the destination and object of the Ontario, which may reach them before her arrival.

"The Ontario sailed from New York on the 4th of October, but as she has been directed to take out Mr. Tyler, who has been charged with some business on the part of the American government in Peru, she will probably be detained some time upon the South West Coast of South America.

"I am fully aware that it will be a matter of great difficulty to make this communication, but it will also be a matter of great delicacy; for it appears to me that unless Your Excellency can entirely rely upon the intelligence of the North West Company traders in that quarter, clearly to understand, that it is only in the event of their being upon the spot previously to any attempt being made by citizens of the United

States to establish settlements, that they are to take into their own hands the assertion of the territory, they may perhaps be induced to dispossess by force American settlers whom they may find there, and by so doing greatly embarrass any negotiation which may hereafter take place upon the subject, if they do not occasion yet more serious consequences.

“I have the honour to be, &c., &c., &c.,

CHARLES BAGOT.”

The next day, Sir Charles wrote again to Lord Castlereagh.²⁹ The letter is somewhat confused. The three commissioners he had mentioned as in the *Ontario*, were he said, presumably Mr. Graham, late the chief clerk in the Department of State, Mr. Rodney, and Walter Jones, District Attorney of the United States in the District of Columbia. The *Ontario*, he said, was originally destined to sail in the summer of 1817 [which explains the letter of Sir James Lucas Yeo, given above] but was delayed for unknown reasons. So that the three commissioners, so far as Sir Charles could make out—and he seemed to have difficulty in getting exact information on this mysterious *Ontario*—did not sail on the *Ontario*, but went on the frigate *Chesapeake* to South America, in a diplomatic capacity.

On January 6th, 1818,³⁰ Sir Charles reported to Lord Castlereagh that he had received no answer from Secretary Adams to his note of November 26th regarding the sailing of the *Ontario*.

On January 26th, 1818, Lord Castlereagh notified Lord Bathurst as follows, the draft of the letter only being found in the Records:³¹

“Draft

“Foreign Office,

Jan. 26, 1818.

“I have this day addressed to the Lord Commrs. of the

²⁹ F. O. 5, Vol. 123.

³⁰ F. O. 5, Vol. 130.

³¹ F. O. 5, Vol. 139.

Admiralty, acquainting their Ldps [Lordships] that Mr. Bagot, His Ms Minister in America, having transmitted intelligence that the U. S. sloop of war Ontario has been sent by the Amn Govt to reestablish a Settlement on the Columbia River, held by that state on the breaking out of the war, it is H R H's pleasure that in pursuance of the 1st Article of the Treaty of Ghent (without, however, admitting the right of that Govt to the Possession in question), due Facility should be given to the Reoccupation of the said Settlement by the officers of the United States, and I am to request that Your Lp will be pleased to take such steps in furtherance of that object, as you may judge expedient."

[Signed] CASTLEREAGH.

That same January Simon McGillivray sent to Henry Gouldburn the letter in which he states that he had instructed Mr. Keith, in charge of Fort George, to obey any instructions given him with regard to giving up Fort George.³²

On February 4th, 1818, Lord Castlereagh wrote to Sir Charles Bagot as follows:³³

“Foreign Office,
Febr. 4, 1818.

“You will observe, however, that whilst this Government is not disposed to contest with the American gov't the point of possession as it stood in the Columbia River at the moment of the rupture, they are not prepared to admit the validity of the title of the Govt of the United States to this Settlement. In signifying therefore to Mr. Adams the full acquiescence of your govt in the re-occupation of the limited Position which the U. States held in that River at the breaking out of the war, you will at the same time assert in suitable terms the Claim of Great Britain to that Territory upon which the American Settlement must be considered as an encroachment. You will at the same time acquaint that Minister, that whilst your Govt could not but view with some surprise and regret the

³² F. O. 5, Vol. 139. (Enclosure by Gouldburn, Feb. 2, 1818.)

³³ F. O. 5, Vol. 129.

departure of the Ontario for the purpose of re-occupying the Port in question, without any previous concert with yourself, for the regular and amicable transfer of this possession, that your Court have nevertheless lost no time, as will appear by the enclosed instructions, in taking such steps as depended on them, in order to obviate any unpleasant collision.

"It appears from your Despatch that Mr. Adams, in conversation, attempted to account for this on grounds of a former reference to Mr. Baker, but upon turning to the correspondence which then took place, it does not appear to this Govt that anything which then passed would justify the Govt of the U. States in taking such a step without at least some previous communication with you.

"In adverting to this point with the American Secretary of State, which brings pointedly into view the unsettled nature of the pretensions of the two govt's in the whole extent of their Frontier to the Westward, from the Lake of the Woods to the Pacific Ocean, adverting also to the omission in the Treaty of Ghent of any provision for the demarcation of Limits beyond the point above referred to, it has appeared to the Prince Regent's Govt insistent with the friendly Spirit of our existing relations, to take measures for settling our Boundaries with the U. States throughout the whole of this line."

It was easier, Lord Castlereagh stated,—and this was always the position taken by the British Government, right up to the Treaty of 1846—to settle the boundary before the country was settled and while it was little known, because there were fewer difficulties, one way and another, with settlers. A new motive now was the treaty of America with Spain, giving the Americans the old Spanish rights, such as they were, and Bagot was therefore ordered to try to settle the boundary question if he could.

The easiest way to do this, Castlereagh thought, was by a supplement to the Treaty of Ghent, or by additional articles, and the United States was to be requested to give its Minister in London power to sign such article. And he thought it well to begin on the Coast.

Meanwhile the *Ontario* reached Valparaiso, then blockaded, between January 19th and February 1st, 1818. Commander Bowles,³⁴ under date of February 18th, 1818, reported:

"The arrival of the Ontario at Valparaiso caused much speculation. She carried out a Mr. Prevost who was said to be high in the confidence of the present President [of the U. S.]. He (Prevost) went immediately to Santiago, visiting General San Martin's quarters on his way."

Prevost was to remain in Chili a month or six weeks at least, while the *Ontario* was to go to the Columbia. She sailed immediately after the Battle of Maypie; had returned in late June.

Orders from the British Government to the North West Company were received by Commander Bowles, at Rio Janeiro on April 19th, 1818, enclosed from London in a letter of January 27th. The *Blossom* was to be sent to the Columbia. The *Blossom* reached Valparaiso on 16th of May. On June 1st, Earl Bathurst's orders were sent to Captain Sheriff, the *Blossom* to be detached immediately for service to the Columbia. The *Blossom* sailed July 12th, under Captain Hickey, some two or three weeks after the *Ontario* had returned to Valparaiso. Prevost was fully empowered to receive possession.

Meanwhile on June 2nd, Sir Charles Bagot wrote to Lord Castlereagh as follows:³⁵

Washington, June 2, 1818.

"My Lord:

"Upon receipt of your Lordship's despatch No. 7, of the 4th of February last, I immediately communicated to Mr. Adams the acquiescence of His Majesty's Government in the re-occupation, by the United States, of the position held by them upon the Columbia River prior to the late war. I stated to him that His Majesty's Government entertained no doubt of the United States being entitled under the provisions of the 1st Article of the Treaty to resume possession of whatever was held by them at the moment of rupture which was not subject

³⁴ Admiralty 1, Vol. 23.
³⁵ F. O. 5, Vol. 132.

to the exceptions made by the 4th, 5th, 6th, and 7th articles; and I acquainted him with the orders which were given to prevent any interruption being offered to the re-establishment of the Post in question. In conformity, however, to Your Lordship's instructions, I did not disguise from him that His Majesty's Government had seen with some regret the irregular mode in which the United States had seen fit to resume possession of the settlement; and I took the opportunity of laying a general claim, on the part of the British Crown, to the territory upon which it had been made.

"Mr. Adams appeared to receive what I said in good part. He stated that in fact the American government put very little value upon the post of Astoria. That the Ontario had received her orders before he had entered upon the duties of his office, but that he could assure me that she had been instructed not to commit any act of hostility or force whatever and that with regard to her having been despatched without previous concert with me, he could take it upon himself to say that it was entirely owing to the belief founded upon a statement formerly made by Mr. Baker, that there was no person upon the spot by whom a formal surrender could be made."

Sir Charles urged upon Secretary Adams the settlement of the whole question of contiguous boundaries. And Secretary Adams agreed, adding other points, such as the fisheries question, slaves, colonial trade, etc. The letter continues:

"Mr. Adams informed me that he had been directed by the President to assure me that the circumstances of the Ontario having been despatched to the Columbia River without any intimation being given to me of her destination, was entirely incidental; that she had received her instructions whilst he was at New York on his tour to the northern frontier, and that in the pressure of business there, he had omitted to direct the proper communication to be made to me upon the subject." . . .

But if the Ontario was originally destined to sail in August, one wonders whether this excuse was entirely truthful.

Meanwhile, in August, the Ontario arrived at the Columbia; and we have reason to think from other reports that it was one of the soft summer days at the mouth of the river, when the river flowed swift and wide and blue as it does today, on a sunny August day, under a blue sky, though lashed to gleaming whiteness in the crashing breakers on the bar. James Keith tells the story, two months later, in October, and a ludicrous yarn it is, to any one with a sense of humor; though Keith had no intention of being humorous.

Captain Frederick Hickey of the *Blossom*, sent in his formal request to the fur trader:³⁶

H. M. S. Ship *Blossom*,
Columbia River,
Oct. 4, 1818.

To James Keith, Esq.,
Fort George.

Sir: Upon the restitution of the post and settlement of Fort George to the American Government, I request that you will have the goodness to furnish me with an exact account of its state and condition, and with such other information as you may deem of importance should be communicated to His Majesty's Ministers.

I have the honor to be, &c., &c.

FREDERICK HICKEY.

And the fur trader promptly replied, with full details, and then gave the story of the Ontario. Part of this is published in the U. S. Government documents, but not the Ontario episode.³⁷

³⁶ F. O. 5, Vol. 147.
³⁷ F. O. 5, Vol. 147.

"Fort George, Columbia River,
7th October, 1818.

"To Captain Frederick Hickey,
H. M. Ship Blossom.

"Sir:

"In compliance with your request conveyed to me in your communication of the 4th instant, of being furnished with an exact account of the state and condition of this settlement on its restitution, together with such further information as I might deem of importance to be communicated to His Majesty's Ministers, I shall first advert to the number of its inhabitants who (myself excepted) were and still are, under either written or verbal agreements, as servants of the North-West Company; consisting of two gentlemen clerks, and one surgeon of Scotch parents, one overseer, seventeen engagees, including mechanics, and mostly Canadians; twenty-six natives of Owhyhee, and one Indian boy (native of the soil) who added to two Owhyhees absent, and sixteen trappers, Canadians and Iroquois employed by the Company among the surrounding tribes to hunt skins, form a grand total of sixty-six persons, exclusive of women and children who may properly be said to belong to the settlement; and with regard to the minor establishments in the interior of this River, supplied from and dependent hereon, the number of people employed, the extent of our trade, annual produce, prospects, and mode of conducting it, it would too far exceed my intended limits to detail, and otherwise I presume is not altogether unknown to Government.

"As to the progressive improvements and material changes the settlement has undergone subsequent to our purchasing it from the American Company in October, 1813, and which have been extended with immense labour and heavy expenses, you will be enabled to form an imperfect idea from the extent it occupied under that concern, the nature and properties of buildings raised with precipitancy to protect persons and properties from the injuries of the weather, as well as the attacks of the Natives, and the prospects which a five years quiet

possession now open to view, and which joined to your own observation, the minute sketch of one of your officers I trust will sufficiently demonstrate.³⁸

"With regard to the transfer, it ought to have been considered by the party benefited thereby, as one of those fortunate contingencies seldom to be met with; what the said party upwards of three months antecedent to such transfer had otherwise fully resolved to abandon by the dissolution of their concern, as expressed at full length in the preamble [of the bill of sale of Astoria]. But to return to my subject; the principal arms and ammunition we now possess consist of two long 18-pounders mounted in the square of the buildings, six 6-pounders, and four 4-pounders. Guns; two 6-pounder co-horns and seven swivels stationed in the block houses and on the platforms, besides blunderbusses, muskets, and fusils; there are upwards of eight hundred round and cannister shot for the cartridge guns, principally 18 and 6-pounders, together with a certain proportion of powder, ball, etc., part of which is indispensable for the trade, etc., and the gross amount of property (buildings excluded) on a rough estimate, cannot, I conceive be over rated at about £30,000. The Natives are very numerous and much addicted to theft, lying, and plunder, and though with few exceptions we have hitherto kept smooth with them without which we must long ere now have ceased to be a trading establishment, we require to be vigilant, circumspect, and much on our guard. These I conceive constitute the leading points which your communication embraces.

"One circumstance, however, I had almost omitted. I allude to the manner of Captain Biddle's last visit. By the *Levant*, a Boston vessel, freighted with part of our annual supplies, and from on board of which were landed 80 to 90 bags of Spanish flour belonging to the Ontario we were informed by verbal authority, founded on conjectures, that the latter was destined hither for the purpose of taking possession either of the settlement, or of the country, but having entertained similar

³⁸ *Ore. Hist. Quarterly*, V. XIX, pp. 276-82; V. XX, p. 30, T. C. Elliott.

suspicious the preceding summer and moreover conceiving it a mere piece of formality which I had every reason to think the British Government could not consistently wink at, I felt perfectly easy and secure until the Ontario arrived off Cape Disappointment, on the morning of the 19th of August, followed by Captain Biddle's appearance about 3 p. m. Accompanied by a strong party, including officers, in three boats, apparently well armed, only Captain Biddle and his Surgeon landed at the settlement, the others being immediately ordered off, conducted by one of my men to Point George, to cut spars.

"Exceedingly social and polite, but not the most distant intimation of the object of this visit of which, as if studious of exciting the least suspicion, he glossed over the circumstances of the arms, etc., from his apprehensions of the Natives. With much reluctance (from our having a superabundance) and not till after repeated solicitation, I gave him bills on Canada for the flour, and towards 5 p. m. accompanied by another of my men in an Indian canoe rowed by the natives, Captain Biddle and surgeon set off to join their party, giving to understand they would proceed on board; however, learning that they had encamped where my people left them, I next morning despatched the same two men with some fresh supplies, who soon after returning with accounts of their departure, reported having seen a board unusually painted and nailed upon a tree in a rather secluded and unfrequented place on Point George about one-half mile hence, whereon we found inscribed in large characters:

Taken possession of in the name and on
the behalf of the
United States
By Captain James Biddle, commanding the
United States Sloop of War, Ontario
Columbia River, August 1818

"Such mysterious and unaccountable proceedings, of which the subsequent reports of the Natives, joined to the gloomy,

desponding conjectures of my own people rather aggravated the unfortunate impression, excited the most anxious and painful sensations at what would probably be the next step and so far operated to redouble our vigilance that on your arrival with J. B. Prevost, Esqr., every gun was shotted and small arms ready for all hands. The agreeable contrast since experienced it would be deemed flattery in me to dwell upon. Justice, however, demands that I should bear testimony to the handsome, unassuming, yet dignified manner in which Mr. Prevost comported himself, during the late changes and though much disappointed in my expectations relative to the pledges of security and publick faith, without which no commercial body can promote their own, much less contribute to the national prosperity, I attribute the cause solely to his circumscribed pow'rs and must act accordingly. There is nothing of a public or private matter connected with the late change, of which you have not official documents, or are perhaps acquainted with, excepting my communication with Mr. Prevost together with his replies,³⁹ copies of which I herewith transmit you, and as your short stay precludes the possibility of my completing the various papers I intended forwarding for London, as well as Canada, I request that you will be pleased to hand the present for the perusal of Mr. Prevost to enable him to extract such materials for the information of the Government of the United States, as he may think proper to lay before them.

I have the honor to be, sir, your obedt & humble servant,

JAMES KEITH.

“To Frederick Hickey, Esq.,
Captain H. M. S. Blossom,
Bakers Bay.”

Meanwhile, on the other side of the continent, British commissioners and John Quincy Adams were debating a treaty which should settle the boundary of the North-West Coast of America. In orders to F. Robinson and Henry Gouldburn

³⁹ F. O. 5, Vol. 147; also V. 2, *Miscellaneous American State Papers*.

from Lord Castlereagh, dated London, August 24th, 1818, he gave as a fifth point to be considered in the commercial treaty under consideration:⁴⁰

“5th. The position on the Columbia River occupied by the Americans, and now ordered to be restored to them in pursuance of the first article of the Treaty of Ghent, but under a protest as to their right to the same.”

If actual doubt existed as to sovereignty, the commissioners were to consider a species of stipulation which would serve the rights of all states from being prejudiced by a transaction to which the British government were then parties—so read Castlereagh's instructions. He urged them to adopt some principle of demarkation, such as a parallel, to save delay and expense of survey. The question was to be settled if possible by amicable discussion, or referred for adjudication similar to the 4th, 5th and 6th articles of the Treaty of Ghent.

During the discussion on the North-West Coast of America, incident to the joint-occupancy treaty, three subjects: the Columbia River, the North-West boundary, and the problem of captured negroes, the United States refused to submit to arbitration, because (1), of the difficulty of an impartial arbitration, and (2), because the United States preferred to keep its own affairs to itself. So wrote Henry Goudburn to Lord Castlereagh, August 29th, 1818.⁴¹

A month later, September 26th, 1818, Goudburn wrote to Lord Castlereagh with regard to the American claims on the North-West Coast of America, and one can fairly feel the gasp of amazement in his letter. The words in italics were underscored by him. He wrote:^{41a}

The “article for settling the boundary to the westward of the Rocky Mountains, claimed on the part of the United States, an extent of territory beyond what had ever been contemplated as belonging to them.

“They stated it generally to rest *on the right of prior discovery and occupation*, but in the statements which they sub-

⁴⁰ F. O. 5, Vol. 138.

⁴¹ F. O. 5, Vol. 138.

^{41a} F. O. 5, Vol. 138.

sequently made, they appeared rather to address agreements in support of their claim to the mouth of the Columbia River, than to the whole of the interior territory which the terms of their article conveyed to them."

The Treaty of 1818, with one paragraph making the Oregon country a joint-occupancy country was the result. But the restoration of Astoria, as a post, had been secured—a private fur company's post, claimed after its sale, by the American government, as a national possession.

Under the circumstances one is hardly surprised at what happened a few years later.

Something of the British view again, is shown in a letter from Lord Castlereagh to Stratford Canning, then British Minister at Washington, under date of August 7th, 1820, in response to a worried letter from Canning. It was marked "Confidential":⁴²

"The tendency of the American government is rather to contentious discussion. The ancient relations of the British and American nations, and the jealousies as yet imperfectly allayed, incline the Govt of the United States to maintain their pretensions in discussions with us, perhaps in deference to those prejudices, in a tone of greater harshness than towards any other Government whatever. The American people are more easily excited against us, and more disposed to strengthen the hands of their Ministers against this than against any other state. Time has done a good deal to soften these dispositions, and the more we can permit them to subside by avoiding angry discussions, the less will the American Govt be capable of contesting unreasonably those various points which the reciprocal interests of the two countries may from time to time be expected to present themselves for adjustment."

Castlereagh continued that he looked for an "abatement of that most unbecoming acrimony which has generally been prevalent between these two nations since the period of their separation."

Six months later came an example of this. On January 28th,

⁴² F. O. 5, Vol. 150.

1821, Stratford Canning wrote an eighteen-page letter, on heavy plate paper, in "fair round hand," to Lord Castlereagh; but it was the letter of a startled statesman.⁴³ Having heard much about the occupation of the Columbia—Floyd's annual bills had been appearing regularly—he went to Mr. Adams about it. The reduction of the army was under debate in Congress, when a member asked if this was prudent when the United States were planning a settlement on the Columbia. The bill to occupy the Columbia had been read twice. The bill began that "The President of the United States be, and he is hereby authorized and required to occupy that portion of territory of the United States on the waters of the Columbia River . . ." It gave lands to settlers and prescribed a government. It was H. R. 222, of January 25th, 1821. It was read twice and was to come before the Committee of the Whole the day after Canning's letter, that is, January 29th. He enclosed a copy, with a newspaper letter from Mr. Robinson, author of a book on Mexico.

Canning therefore called upon Mr. Adams, though knowing the "peculiarities of Mr. Adams' character," but with confidence, since their relations had been "satisfactory and confidential heretofore."

"Mr. Adams replied in the most determined and acrimonious tones, that the United States *did* probably mean to make a new settlement on the Columbia, and that they had a perfect right to do so, the territory being their own."

Being asked if this answer could be said to come from the Government, "he replied, with increased asperity, in the affirmative. He seemed determined to consider my interference respecting the Columbia as offensive and unwarranted." In the course of further conversation, he expressed "an emphatic repetition of the right—the undisputed, indisputable right—of the United States to the territory of the Columbia and an utter denial of any right on my part, as British Minister, to interfere with their eventual arrangements on that head."

Canning quoted Lord Castlereagh's remark, in a letter of

⁴³ F. O. 5, Vol. 157.

February 4th, 1818, to his predecessor, Sir Charles Bagot, that "It is always more easy to come to an arrangement on such subjects where the territory in discussion is little known, or little cultivated, than where enterprise and industry have led to settlements which cannot be abandoned without loss, and cannot be ceded without the alienation of subjects owing allegiance to one or another state."

Mr. Adams promptly replied regarding Great Britain's position in 1818,

"That he considered the claim then put forward as a mere *chicane* of the moment. What more, he exclaimed, would England grasp at? Could it be worth while to make a serious question of an object so trifling as the possession of the Columbia? What would be thought in England if Mr. Rush were to address the Secretary of State on the occasion of a regiment being destined for New South Wales, or the Shetland Islands? The United States had an undoubted right to settle wherever they pleased on the shores of the Pacific without being molested by the English Government and he really thought they were at least to be left unmolested on their own continent of North America."

Those eighteen pages are rather interesting reading.

But Lord Castlereagh, determined to keep peaceful relations between the two countries, wrote to Canning, on April 1st, 1821,⁴⁴ directing him not to renew the discussion of the Oregon question without special instructions from the king. He reminded him that by article 3 of the treaty of 1818, "The rights of both parties were saved for subsequent adjustment, but no attempt was made either to determine those rights, to define what might be regarded as the existing state of occupation, or to preclude either party from forming new settlements within the disputed territory during the period, viz., ten years . . . together with the reservation of any right which the formation of such settlement might either appear to impeach or establish. Whatever therefore may be the pretensions of Great Britain upon the Columbia River, they must be urged

⁴⁴ F. O. 5, Vol. 156.

on antecedent grounds of right. . . . But it is not His Majesty's intention under present circumstances to provoke any discussion with the American Govt on the final adjustment of these claims."

On April 27th, 1821, Minister Canning reported to Lord Castlereagh, after another interview with Adams.⁴⁵

"Mr. Adams went on to say that he hoped nothing would occur for a long time to weaken those mutual dispositions" to good will between the two nations.

A little aside from the above, and yet in close connection with it, is a letter from Sir Charles Bagot to Lord Castle-reigh, dated Washington, March 6th, 1819:⁴⁶

" . . . A small expedition is preparing by the Government, under the command of Major Biddle of the United States army, for the purpose of ascending to the source of the Missouri River. This expedition, which is entirely unconnected with that of the Yellowstone River, is to be performed by means of a steam boat which is to draw eighteen inches of water only. Upon reaching the source of the Missouri, Major Biddle hopes to be able to carry the steam machinery of the boat to the other side of the Rocky Mountains, where he proposes to build another vessel, in which he will descend the Columbia River to its mouth, where he may expect to meet with the Ontario, sloop-of-war, commanded by his brother. Major Biddle appears to be of the opinion that this expedition will occupy about two years. There can, I think, be little doubt that it is connected with some proposed establishment at the mouth of the Columbia which has for its object the double purpose of securing the fur trade, and promoting the American whale fishery in the South Seas."

⁴⁵ F. O. 5, Vol. 158.
⁴⁶ F. O. 5, Vol. 142.

THE END.

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